

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE  
COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN  
PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW  
YORK,

Third-Party Plaintiff,

vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION INC., and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY;  
BARTEC INDUSTRIES, INC.; DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP. a/k/a DAYTON  
SUPERIOR CORPORATION; SPECIALTY  
CONSTRUCTION BRANDS, INC. t/a TEC; KEMPER  
CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY; GREAT AMERICAN  
INSURANCE COMPANY; NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, P.A.;  
UNITED STATES FIRE INSURANCE COMPANY;  
ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.  
f/k/a/ COMMERCIAL UNDERWRITERS  
INSURANCE COMPANY; ZURICH AMERICAN  
INSURANCE COMPANY d/b/a ZURICH INSURANCE  
COMPANY; OHIO CASUALTY INSURANCE  
COMPANY d/b/a OHIO CASUALTY GROUP;  
HARLEYSVILLE MUTUAL INSURANCE COMPANY  
(a/k/a/ HARLEYSVILLE INSURANCE COMPANY);  
JOHN DOES 1-20 and XYZ CORPS. 1-12,

Fourth-Party Defendants.

Case No. 07-CV-6915 (DLC)  
ECF CASE

**NOTICE OF MOTION FOR  
ADMISSION PRO HAC VICE**

**PLEASE TAKE NOTICE**, that upon the Declaration of Henry G. Morgan, Esq., sworn to on July 23, 2008 and the Declaration of Joseph DeDonato, sworn to on July 23, 2008, the undersigned will move this Court, at the United States District Court for the Southern District of New York located at 500 Pearl Street, New York, New York on a date and time to be fixed by the Court, for an order granting admission pro hac vice attorney Henry G. Morgan, Esq. of the law firm of Morgan Melhuish Abrutyn, for the purpose of discovery and trial of the within matter, pursuant to Local Rule 1.3 (c).

**PLEASE TAKE FURTHER NOTICE** that answering affidavits, if any, are to be served upon the undersigned no later than seven (7) days prior to the return thereof.

MORGAN MELHUIISH ABRUTYN

A handwritten signature in black ink, appearing to read 'JDS', is written over a horizontal line.

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COMPANY d/b/a OHIO CASUALTY GROUP;  
HARLEYSVILLE MUTUAL INSURANCE COMPANY  
(a/k/a/ HARLEYSVILLE INSURANCE COMPANY);  
JOHN DOES 1-20 and XYZ CORPS. 1-12,

Fourth-Party Defendants.

Case No. 07-CV-6915 (DLC)  
ECF CASE

**DECLARATION OF  
JOSEPH DEDONATO, ESQ.**



**JOSEPH DEDONATO, ESQ.** hereby declares and affirms:

1. I am a Partner with the law firm of Morgan Melhuish Abrutyn, attorneys for defendants, Ohio Casualty Insurance Co. d/b/a Ohio Casualty Group. I am a member in good standing of the bar of this Court. I submit this affirmation in support of the application of Henry G. Morgan, Esq. a partner of my firm, for admission pro hac vice pursuant to Local Rule 1.3(c) to participate in discovery and trial of this action before the Court.

2. Henry G. Morgan, Esq. is a member in good standing of the New Jersey Supreme Court and the United States District Court – District of New Jersey.

3. I will be the attorney of record in this matter.

4. The above-stated defendants wish to have Henry G. Morgan, Esq. admitted pro hac vice so that he may participate in discovery and trial of this action. Accordingly, it is respectfully requested that the court grant Henry G. Morgan, Esq. application admitting them pro hac vice to participate in discovery and trial in the above-captioned matter pursuant to Local Rule 1.3(c).

5. I certify, under penalty of perjury of 28 USC§ 1746 that the forgoing statements are true to the best of my knowledge and belief.



JOSEPH DEDONATO, ESQ.

DATED: July 23, 2008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY COMPANY as  
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(a/k/a/ HARLEYSVILLE INSURANCE COMPANY);  
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Fourth-Party Defendants.

Case No. 07-CV-6915 (DLC)  
ECF CASE

**DECLARATION OF  
HENRY G. MORGAN, ESQ.**

**HENRY G. MORGAN**, hereby declares and affirms:

1. I respectfully submit this Declaration in support of my application to be admitted pro hac vice in this action on behalf of defendants, Ohio Casualty Insurance Co. d/b/a Ohio Casualty Group.

2. I am a partner with the law firm of Morgan Melhuish Abrutyn, 39 Broadway – 35<sup>th</sup> Floor, New York, New York 10006 and 651 W. Mt. Pleasant Avenue, Livingston, New Jersey 07039.

3. I have been admitted to practice before the following courts:

New Jersey Supreme Court (1948)

United States District Court –

District of New Jersey (1948)

4. I am a member in good standing in the above-stated bars. See Exhibit A attached hereto. I have not been disbarred or suspended from practice in any court.

5. I am associated with Joseph DeDonato, Esq., who is a partner in our firm and a member in good standing of the New York bar.

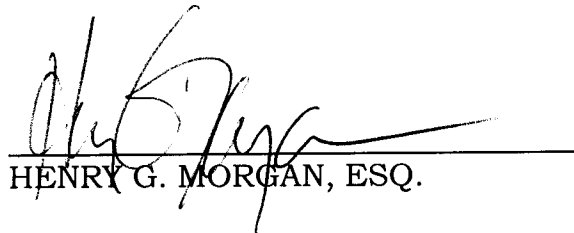
6. Ohio Casualty Insurance Co. d/b/a Ohio Casualty Group, requested that I represent them in this matter. Good cause exists for my admission herein since I have been retained by the defendants, Ohio Casualty Insurance Co. d/b/a Ohio Casualty Group, to represent their interests in defense of other lawsuits.

7. I have never been disciplined by any court.

8. I agree to abide by all rules governing this Court, including disciplinary rules.

9. I will immediately notify the Court of any matter affecting my standing at the bar of any other court.

10. I certify, under penalty of perjury of 28 USC§ 1746 that the forgoing statements are true to the best of my knowledge and belief.



HENRY G. MORGAN, ESQ.

DATED: July 23, 2008

# Supreme Court of New Jersey

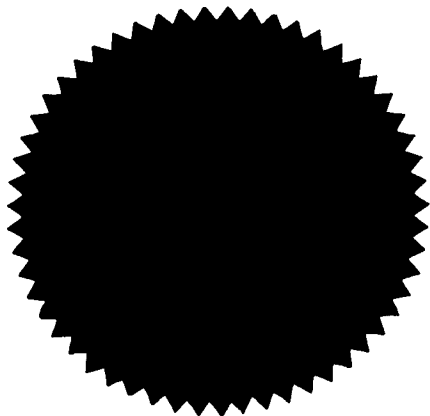


## Certificate of Good Standing

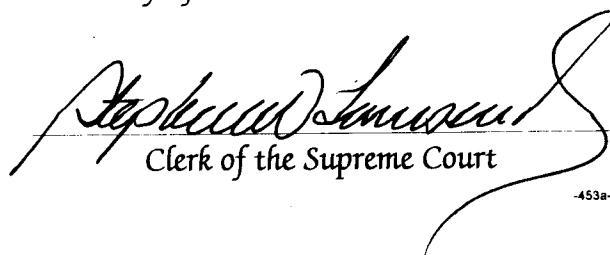
This is to certify that **HENRY G MORGAN**  
(No. **148651948** ) was constituted and appointed an Attorney at Law of New  
Jersey on **April 01, 1948** and, as such,  
has been admitted to practice before the Supreme Court and all other courts of this State  
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in  
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"  
if the Court's records reflect that the attorney: 1) is current with all assessments  
imposed as a part of the filing of the annual Attorney Registration Statement, including,  
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client  
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not  
resigned from the Bar of this State; and 4) has not been transferred to Disability  
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's  
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to  
practice law in this State.*



In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
15TH day of July , 20 08

  
Clerk of the Supreme Court

# Certificate of Good Standing



**United States of America**

**District of New Jersey**

*I, WILLIAM T. WALSH, Clerk of the United States District Court for the District of New Jersey, do hereby certify that:*

**Henry G. Morgan**

*was duly admitted to practice in said Court as of April 1, 1948, and is in good standing as a member of the Bar of said Court.*

*Dated at Newark, New Jersey  
on: July 22, 2008*

**WILLIAM T. WALSH, CLERK**

By

A handwritten signature in cursive script, appearing to read "Carey P. Carlisle", written over a horizontal line.

**Carey P. Carlisle, Deputy Clerk**

**DECLARATION OF SERVICE**

I certify, under penalty of perjury to 28 U.S.C. Section 1746, that copies of the Notice of Motion were sent via USPS, First Class Mail to:

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\_\_\_\_\_  
THOMAS A. LLOYD

Dated: July 23, 2008